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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,102	10/19/2001	Winston Donald Keech	46354.010400	6777

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GREENBERG-TRAURIG
1750 TYSONS BOULEVARD, 12TH FLOOR
MCLEAN, VA 22102

EXAMINER

HAYES, JOHN W

ART UNIT PAPER NUMBER

3621

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/982,102

Applicant(s)

KEECH, WINSTON DONALD

Examiner

John W Hayes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 October 2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. Applicant had canceled claims 1-23 in the preliminary amendment filed 19 October 2001. Thus, claims 24-32 remain pending and are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 24-27 and 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kohut, U.S. Patent No. 6,246,769 B1.

As per Claims 24 and 29, Kohut discloses a secure user code entry interface system comprising:

- a secure user code entry interface for entry of a user code on an electronic device (Figure 6) wherein said electronic device has a display (Figure 6); wherein said secure user code entry interface contains at least one active display for entry of at least one digit of said user code by a user (Figure 6; Col. 10, lines 47-67; Col. 12, lines 20-25; Col. 14, lines 15-20); wherein said active display illuminates at least one display digit within said active display and said user enters said at least one digit of said user code by a response through an input device at a response time when said at least one display digit which corresponds with said at least one digit of said user code is illuminated in said active display (Figure 6; Col. 10, lines 47-67; Col. 12, lines 20-25; Col. 14, lines 3-25).

Kohut further discloses a run on time to extend the at least one active display (Col. 14, lines 20-25 and 60-63), however, fails to explicitly disclose that the run on time is random. However, examiner submits that it would have been obvious to one having ordinary skill in the art at the time of applicant's

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invention to add a random run on time to extend the display depending on how long it takes the user to enter the user code.

As per Claim 25, Kohut further discloses wherein the response is entered by keying any one of a plurality of keys on a keyboard (Figure 6; Col. 14, lines 15-20).

As per Claims 26-27, Kohut fails to explicitly disclose wherein the response is entered by keying any one of a plurality of keys of a mouse or areas of a touch sensitive display. Examiner takes Official Notice, however, that use of a mouse or a touch sensitive display was well known to one having ordinary skill in the art at the time of applicant's invention and it would have been obvious to use any one of these types of input devices to allow the user to input the user code.

As per Claim 30, Kohut discloses an identity verification secure transaction system comprising:

- a host computer for storing a user code associated with a user (Figure 6; Col. 10, lines 55-65; Col. 11, lines 30-35);
- an electronic device in electronic communication with the host computer, wherein the electronic device has a display and a user input device (Figure 6; Col. 14, lines 1-20);
- a secure user code entry interface viewable on the display of the at least one electronic device for entry of a user code (Figure 6); wherein said secure user code entry interface contains at least one cycle with an active display for entry of said user code by a user (Figure 6; Col. 10, lines 47-67; Col. 12, lines 20-25; Col. 14, lines 15-20); wherein said active display illuminates at least one display digit within said active display and said user enters said at least one digit of said user code by a response through an input device at a response time when said at least one display digit which corresponds with said at least one digit of said user code is illuminated in said active display (Figure 6; Col. 10, lines 47-67; Col. 12, lines 20-25; Col. 14, lines 3-25);
- wherein the entered user code is transmitted to the host computer for verification with the stored user code (Figure 6; Col. 14, lines 15-25).

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Kohut further discloses a run on time to extend the at least one active display (Col. 14, lines 20-25 and 60-63), however, fails to explicitly disclose that the run on time is random. However, examiner submits that it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to add a random run on time to extend the display depending on how long it takes the user to enter the user code.

As per **Claim 31**, Kohut further discloses wherein the response is entered by keying any one of a plurality of keys on a keyboard (Figure 6; Col. 14, lines 15-20).

As per **Claim 32**, Kohut fails to explicitly disclose wherein the response is entered through any area of a touch sensitive display. Examiner takes Official Notice, however, that use of a touch sensitive display was well known to one having ordinary skill in the art at the time of applicant's invention and it would have been obvious to use a touch sensitive display to allow the user to input the user code.

4. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kohut, U.S. Patent No. 6,246,769 B1 in view of Weisz et al, U.S. Patent No. 6,148,406.

As per **Claim 28**, Kohut fails to explicitly disclose wherein the secure user code entry interface program contains a plurality of cycles of the at least one active displays for entry of each digit of the user code. Weisz et al disclose an access control password generated as a function of random numbers and further teach wherein the secure user code entry interface program contains a plurality of cycles of the at least one active displays for entry of each digit of the user code (Figs 1-8; Col. 6, lines 10-35; Col. 8, lines 25-30).

Conclusion

5. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual

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claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Covert discloses a computer access security device and teaches displaying an array of digits and a user selects a multi-digit code based upon a secret code (PIN).
- Baker discloses a password entry system wherein a user selects either a row or a column of a pseudorandom matrix based upon a memorized password

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Hayes whose telephone number is (703)306-5447. The examiner can normally be reached Monday through Friday from 5:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Trammell, can be reached on (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **(703) 305-3900**. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> . Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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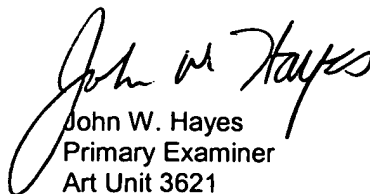
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Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington,
VA, 7th floor receptionist.


John W. Hayes
Primary Examiner
Art Unit 3621

February 22, 2005